

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LEROY ROOSEVELT MACK,

Defendant.

Case No. 2:00-CR-00076-PMP-RJJ

ORDER

On March 26, 2014, following a hearing at which Defendant Leroy Mack admitted to violation of conditions of supervised release, the Court sentenced Defendant Mack to a term of eight months in the custody of the United States Bureau of Prisons followed by thirty-six months supervised release. Among the Special Conditions of Supervised Release imposed was condition No. 6 which provides:

“For the first 4 months of your supervised release, you shall not have contact, directly or indirectly, associate with, or be within 500 feet of Esperanza Brooks, her residence or place of business while she is working, and if confronted with Esperanza Brooks in a public place, you shall immediately remove yourself from the area.”

On April 11, 2014, Defendant Brooks filed a Motion for Sentencing Modification (Doc. #380) challenging the supervised release violation sentence imposed, which the Court denied without prejudice (Doc. #383) on April 14, 2014. Thereafter, on April 16, 2014, Defendant Mack filed a series of pro se motions

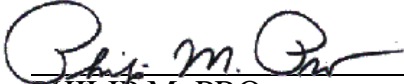
1 seeking further relief from the sentence imposed by the Court on the finding that his
2 supervised release should be revoked. All of those motions were denied by the Court
3 (Doc. #404) on April 24, 2014. Thereafter, Defendant Mack filed a Notice of Appeal
4 which is currently pending before the Ninth Circuit and on which Defendant Mack is
5 represented by appointed counsel.

6 On July 11, 2014, Defendant Mack filed a Motion to Dismiss Sanctions on
7 No Visitation and Sanction of Four Month No Contact (Doc. #420) followed by
8 Motions for Time Reduction Based on Hardship (Doc. #422) and Motion of Mercy
9 to Dismiss Special Conditions of Supervision (Doc. #421) which were both filed on
10 July 23, 2014. The Government filed a Response in Opposition to those Motions
11 (Doc. #426) on August 8, 2014. Defendant Mack did not file a reply.

12 The Court has read the foregoing and concludes that, notwithstanding
13 Defendant Mack's continued protestations concerning the need for Special Condition
14 No. 6, that Special Condition should remain in effect.

15 **IT IS THEREFORE ORDERED** that Defendant Mack filed a Motion to
16 Dismiss Sanctions on No Visitation and Sanction of Four Month No Contact (Doc.
17 #420), Motion of Mercy to Dismiss Special Conditions of Supervision (Doc. #421)
18 and Motions for Time Reduction Based on Hardship (Doc. #422) are **DENIED**.

19
20 DATED: August 18, 2014.

21
22 
23 PHILIP M. PRO
24 United States District Judge
25
26